



**DECISION NOTICE
WHISKEY RIDGE CONSERVATION EASEMENT**

Region 4 Headquarters
4600 Giant Springs Rd.
Great Falls, MT 59405
(406) 454-5840

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVE CONSIDERED:

Proposed Action

Montana Fish, Wildlife & Parks (MFWP) is proposing to purchase and manage a conservation easement (CE) on 4,306 acres owned by David Bergum and 313 acres owned by David Bergum, Ryan Hagen, and Daniel Hagen north of Winifred, MT. This proposed CE, called the “Whiskey Ridge Conservation Easement,” will protect and conserve in perpetuity ~ 4,619 deeded acres of mixed sagebrush-grassland habitat adjoining the Missouri River Breaks in deer/elk hunting districts (HDs) 417 and 426. It also includes terms to minimize the spread of disease between domestic sheep and the Southern Missouri River Breaks (HD 482) bighorn sheep herd.

This CE will also guarantee free public access for hunting and other recreational pursuits on these deeded CE lands, satisfying MFWP’s objectives in providing access and recreational opportunities to the public.

No Action

For the No Action Alternative, MFWP would not purchase the proposed Whiskey Ridge CE. Dave Bergum would continue to manage the Land as a working cattle ranch, but there would be no guarantee of permanent conservation and public access on the Land, especially if the property were to be sold. Additionally, the Landowner may decide to diversify his interests by running domestic sheep, and disease transmission among wild sheep and domestics may occur as a result.

MONTANA ENVIRONMENTAL POLICY ACT PUBLIC PROCESS:

MFWP is required by the Montana Environmental Policy Act (MEPA) to assess potential impacts of its proposed actions to the human and physical environments, evaluate those impacts through an interdisciplinary approach, including public input, and make a decision based on this information. MFWP released a draft Environmental Assessment (EA) for public review of the proposed action on August 25, 2020 and accepted public comment until 5:00 P. M. on September 24, 2020.

Notice of the proposal and availability of the Draft EA was published in the *Lewistown News Argus* and the *Great Falls Tribune*. Copies of the EA were distributed to Fergus County Commissioners, neighboring landowners, interested individuals, groups, and agencies to ensure their knowledge of the proposed project. The EA was also available for public review on MFWP's web site (<http://fwp.mt.gov/>, "Recent Public Notices" and "Environmental Assessments") for the duration of the comment period. MFWP also issued a News Release.

SUMMARY OF PUBLIC COMMENT:

FWP received 38 total written comments via email and 1 via written mail. A breakdown of the comments is as follows: 38 were in support of the proposed action (purchase of the conservation easement), 0 supported the No Action Alternative, and 1 did not specify.

In their support, comments referenced the benefits of expanded perpetual public access, the benefits to sportsmen and women of Montana and people of Montana in general, the protection of the Land's Conservation Values, maintaining the lands in private ownership, the continuance of agricultural practices (i.e., the proposed grazing system and continuing to utilize farmed hayground), the quality native habitat and scenic values, and the protection and mitigation of disease concerns for the wild sheep population. Many commenters also expressed gratitude for the landowners in their willingness to allow public access and work with the Department on this easement.

The one non-supportive comment expressed concerns over increased traffic during hunting and other seasons with the land becoming a CE, and wear and tear on the county roads, particularly Whiskey Ridge Road. Primarily for that reason it was in opposition to the proposed CE.

RESPONSE TO COMMENTS:

All but one comment expressed support for the proposed Whiskey Ridge CE. In response to the one opposing comment concerning increased road wear-and-tear and public use, the current landowners have traditionally allowed access to the deeded lands and Mr. Bergum has been enrolled in MFWP's Block Management Program for several years. The adjacent public lands (including Monument lands) already receives a relatively high level of use during hunting season and other periods.

As a CE, it is expected that use will not increase significantly from what is already occurring outside of possibly higher temporary use the first few years due to novelty. The hunting and recreational use rules outlined in the Draft Management Plan will provide some measure of accountability and tracking for users accessing CE lands via sign-in and reservation requirements in perpetuity, compared to the situation prior to the lands being enrolled in Block Management. Signage and additional patrolling of the area has been and will also occur with the lands in CE. Furthermore, MFWP is not responsible for county road maintenance and is not legally authorized to allocate funds for such.

DECISION:

In reviewing all the public comment, evaluating the environmental effects, and other relevant information, I recommend that MFWP pursue the completion of the Wolf Creek Conservation

Easement Project and recommend that the Fish & Wildlife Commission approve the proposed action as well.

Through the MEPA process, MFWP found no significant impacts on the human or physical environments associated with this proposal. Therefore, the EA is the appropriate level of analysis, and an environmental impact statement is not required.

After review of this proposal, it is my decision to accept the draft EA as supplemented by this Decision Notice and the summary/response to public comment contained herein. In combination, these documents constitute the Final EA. MFWP believes the completion of this project is in the best interests of working agricultural landscapes, fish and wildlife, and public recreation.

Gary Bertellotti
Region 4 Fish and Wildlife Supervisor

Date